

**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**CITY OF MEMPHIS**

**October 20, 2009**

**3:30 P.M. SCHEDULED SESSION**

**3:35 P.M. MEETING COMMENCED**

**ROLL CALL:** William Boyd, Joe Brown, Kemp Conrad, Shea Flinn, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Reid Hedgepeth, Bill Morrison, Jim Strickland, Barbara Swearengen Ware and Chairman Harold Collins.

**THE MEETING WAS CALLED TO ORDER  
BY SERGEANT-AT-ARMS**

**INVOCATION**

The meeting was opened with prayer by Mr. Munir Usmani, Director of Usmani Foundation. Councilman Morrison presented Mr. Usmani with a certificate naming him Chaplain of the day.

**These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.**

**MINUTES**

Approval of the Minutes of the regular meeting of October 6, 2009 with the following motion:

**MOTION:** Ford  
**SECOND:** Flinn  
**AYES:** Conrad, Ford, Fullilove, Halbert, Morrison, Strickland, Ware and Chairman Collins  
Boyd, Brown, Flinn and Hedgepeth did not cast a vote

**APPROVED**

5. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE BEGINNING AT A POINT APPROXIMATELY 1,500 FEET WEST OF BLEDSOE ROAD AND EXTENDING WEST 709.75 FEET, CONTAINING .97 ACRE.**

Case No. SAC 09-605

Held to November 3, 2009

20. **ORDINANCE TO AMEND CHAPTER 28, ARTICLE VI, DIVISION 3, OF THE CODE OF ORDINANCES, SO AS TO REDUCE THE NUMBER OF ALLOWABLE FALSE ALARMS, INCLUDE CIVIL DAMAGES AND ADD NOTIFICATION PROCESS OF ALARM USERS OPERATING WITHOUT A PERMIT, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5328

Held to November 3, 2009

1. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE ON AIRWAYS BLVD., BETWEEN DEADRICK AVE. AND SUPREME AVE. FOR JOHN GRISANTI.**

MOTION: Halbert  
SECOND: Fullilove

**APPROVED**, by unanimous voice vote

2. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE ON LEVI ROAD, BETWEEN THIRD STREET AND WEAVER ROAD FOR MRS. FRANCES DAY-HALE.**

Chairman Collins recognized the following person who spoke from the audience:

Michael Hale, 6867 Terry Chase, 38654

MOTION: Ford  
SECOND: Fullilove

**APPROVED**, by unanimous voice vote

3. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTH SIDE OF HARBERT AVENUE; +/-310 FEET EAST OF SOUTH BELLEVUE BOULEVARD, CONTAINING 0.21 ACRE (9,147.60 SQ. FT.) IN THE SINGLE FAMILY RESIDENTIAL (R-S6) HISTORIC PRESERVATION (HP) DISTRICT.**

Case No. PD 09-311

Chairman Collins recognized the following person who spoke from the audience:

John Gholson, 1336 Carr, Mphs, TN 38104  
Nigel Lewis, 1261 Harbert, Mphs, TN 38104  
Andrew McGill, 1302 Harbert, Mphs, TN 38104  
Cathy Winterburn, 1241 Vinton, Mphs, TN 38104

Applicant: Brook & Marissa Loper  
Harkavy-Shainberg-Kaplan-Dunstan, PLC – Representative

Request: Planned development to allow renovation and use of the property as a triplex and obtain separate utility meters of the tenants

LUCB recommendation: REJECTION

OPD recommendation: HOLD FOR THIRTY (30) DAYS

MOTION: Morrison

SECOND: Ford

AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Hedgepeth and Ware

NAYS: Brown, Halbert, Strickland and Chairman Collins  
Morrison did not cast a vote

**APPROVED**

4. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE WEST SIDE OF BARKSDALE STREET; +/-184.77 FEET SOUTH OF POPLAR AVENUE, CONTAINING 1.34 ACRES IN THE PLANNED DEVELOPMENT (PD PUD R-114) AND MULTIPLE DWELLING RESIDENTIAL (R-MM) DISTRICTS.**

Case No. PD 09-322

Applicant: Memphis College of Art (Sherry Yelvington)  
Nathan Bicks – Representative

Request: Construct a second residence hall

LUCB and OPD recommendation: No Recommendation

MOTION: Morrison

SECOND: Strickland

AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Collins

**APPROVED**

6. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE BEGINNING ON THE WEST SIDE OF NEPTUNE STREET, 99.76 FEET NORTH OF IDA PLACE AND EXTENDING 525 FEET WEST, CONTAINING 0.18 ACRE.**

Case No. SAC 09-608

Applicant: LeMoyne-Owen College  
Dan Graddy – ETI Corporation – Representative

Request: Close and vacate an existing, unimproved alley

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Morrison

SECOND: Ford

AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Morrison, Ware and  
Chairman Collins  
Halbert and Strickland did not cast a vote

**APPROVED**

**CONSENT AGENDA – Items 7-12 may be acted upon by one motion: SEE PAGE 3069 FOR ROLL CALL**

7. **ORDINANCE TO AMEND SECTION 18-19, OF CHAPTER 18, ARTICLE II, OF THE EXISTING CITY CODE OF ORDINANCES TO REFLECT CURRENT STATE LAW, SPECIFICALLY TENNESSEE CODE ANNOTATED SECTION 10-3-103, TO SET FORTH THE TERMS THAT GOVERN THE APPOINTMENT OF MEMBERS OF THE MEMPHIS LIBRARY BOARD OF TRUSTEES, UP FOR S E C O N D READING.**

Ordinance No. 5333

**APPROVED**, on Second reading

8. **ORDINANCE TO AMEND CHAPTER 15, CODE OF ORDINANCES, TO INCLUDE REGULATIONS FOR THE PROPER DISPOSAL OF TIRES AND THE REGISTRATION OF CERTAIN TIRE BUSINESSES AND TIRE HAULERS, WITHIN THE CITY OF MEMPHIS, UP FOR S E C O N D READING.**

Ordinance No. 5334

**APPROVED**, on Second reading

9. **ORDINANCE REZONING THE SOUTHWEST CORNER OF WALNUT STREET AND TATE AVENUE, CONTAINING 1.29 ACRES (DEVELOPMENT SITE) AND 0.65 ACRE (ZONING AMENDMENT) IN THE HIGHWAY COMMERCIAL (C-H) DISTRICT, UP FOR F I R S T READING.**

Case No. Z 09-103

Ordinance No. 5335

**APPROVED**, on First reading

10. **RESOLUTION APPROVING FINAL PLAT OF STANSELL CROSSING PD, PARCEL 9, 7<sup>TH</sup> AMENDMENT, PH. 20.**

Case No. PD 09-309cc

Resolution approves the final plat located north of Lowrance Rd., west of Hacks Cross Rd. This action is subject to County approval.

City Engineer recommends approval

**APPROVED**

11. **RESOLUTION APPROVING ENGINEERING PLANS OF WHITTEN/I-40 PD, 2<sup>ND</sup> AMENDMENT, PHASE 18 SEWER EXTENSION.**

Contract No. CR-5148

Resolution approves the engineering plans located on the northwest corner of Century Center Parkway and Whitten Road. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard sewer extension contract.

City Engineer recommends approval

**APPROVED**

12. **NOTATION FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASE WAS HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

A. Case No. S 46-001 – Shady Grove Subdivision, Lot 105

Public Hearing Set for November 3, 2009

**ROLL CALL CONSENT ITEMS**

MOTION: Ford

SECOND: Ware

AYES: Brown, Ford, Fullilove, Halbert, Hedgepeth, Strickland, Ware and Chairman Collins

Boyd, Conrad, Flinn and Morrison did not cast a vote

**APPROVED**

**MLGW FISCAL CONSENT – Items 13-18 may be acted upon by one motion:**

13. **RESOLUTION AWARDED CONTRACT NO. 11343, RE-ROOF VARIOUS MLGW BUILDINGS, TO B FOUR PLIED, INC. IN THE FUNDED AMOUNT OF \$88,855.00.**

**APPROVED**

14. **RESOLUTION AWARDED CONTRACT NO. 11348, FACILITY INFORMATION SYSTEM/GEOGRAPHICAL INFORMATION SYSTEM REPLACEMENT, TO MJ HARDEN IN THE FUNDED AMOUNT OF \$1,320,157.00.**

**APPROVED**

15. **RESOLUTION AWARDED CONTRACT FOR ELECTRONIC VOLTAGE DETECTORS TO HD ELECTRIC COMPANY C/O UTILITY SPECIALISTS, INC. IN THE AMOUNT OF \$46,899.00.**

**APPROVED**

16. **RESOLUTION AWARDED CONTRACT FOR CISCO MULTIPLEXER PARTS TO COLEMAN TECHNOLOGIES, INC. IN THE AMOUNT OF \$59,414.00.**

**APPROVED**

17. **RESOLUTION AWARDED 60-MONTH CONTRACT FOR PAPER PRODUCTS TO MEMPHIS CHEMICAL AND JANITORIAL SUPPLY IN THE AMOUNT OF \$335,850.00.**

**APPROVED**

18. **RESOLUTION AWARDED 60-MONTH CONTRACT FOR PROTECTORS AND TRANSFORMERS AS FOLLOWS:**

Carte International LLC c/o Vincent Sales, Inc.....	\$1,942,928.00
EatonElectricalc/oACFAssociates.....	<u>1,279,161.00</u>
Total.....	\$3,222,089.00

**APPROVED****MLGW ROLL CALL CONSENT ITEMS**

MOTION: Ware  
 SECOND: Morrison  
 AYES: Boyd, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware  
 and Chairman Collins  
 Brown and Conrad did not cast a vote

**APPROVED**

19. **APPOINTMENTS**

**Alcohol Commission**

Appointment

Eugene S. Bryan

Reappointment

Rick Middlebrook

**Civil Service Commission**

Appointment

Carnita McKeithen

Reappointments

John D. Horne

Gloria Thomas

Bernie Weinman

**Memphis Community Development Enterprise**

Appointment

Harry T. Cash, III

**Memphis & Shelby County Air Pollution Board**

Appointments

Robert D. Cash

Douglas B. Dugard Jr.

Tierney R. Matthews

Dr. Jose C. Yataco

**Memphis and Shelby County New Arena Public Building Authority**

Appointment

Tierney R. Matthews

Chairman Collins recognized the following person who spoke from the audience:

Vince Higgins, 1830 Galloway, Mphs, TN 38112

MOTION: Flinn

SECOND: Ford

AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison,  
Strickland, Ware and Chairman Collins

**APPROVED**

37. **APPOINTMENTS**

**City Attorney**

Appointment

Herman Morris

**Shelby County Metro Charter Commission**

Appointments

Damon Griffin

Steve Ross

Jim Strickland

Rev. Ralph White

Carmen Sandoval

Chairman Collins recognized the following person who spoke from the audience:

Charles Farmer, 4611 Buffer Drive, Mphs, TN 38128

MOTION: Flinn – Without objection, I move that these all be separated into six individual  
votes

SECOND: Boyd

**Chairman Collins stated that without objection, six separate votes will be taken**

AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland,  
Ware and Chairman Collins  
Brown did not cast a vote

**APPROVED**, Herman Morris only

MOTION: Flinn

SECOND: Boyd



AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland,  
Ware and Chairman Collins  
Brown

**APPROVED**, Damon Griffin. Set up as Special Item #1

MOTION: Flinn  
SECOND: Ford  
AYES: Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware  
and  
Chairman Collins  
NAYS: Boyd and Brown

**APPROVED**, Jim Strickland. Set up as Special Item #2

MOTION: Flinn  
SECOND: Morrison  
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Morrison, Strickland,  
Ware and Chairman Collins  
Halbert recused  
Brown did not cast a vote

**APPROVED**, Ralph White. Set up as Special Item #3

SUBSTITUTE MOTION: Halbert – Nominate Tannera Gibson, 3431 Barron Ave., Mphs, TN  
38111

**Councilwoman Halbert asked Mayor Pro Tem Lowery if he would strongly consider her nominee. After a statement from Mayor ProTem Lowery regarding Ms. Halbert's nominee, no action was taken on this substitute motion**

MOTION: Flinn  
SECOND: Morrison  
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland,  
Ware and Chairman Collins  
Boyd did not cast a vote

**APPROVED**, Carmen Sandavol. Set up as Special Item #4

MOTION: Flinn – Substitute the appointment of Steve Ross with the appointment of Richard  
Smith  
SECOND: Morrison  
AYES: Conrad, Flinn, Ford, Hedgepeth, Morrison, Strickland, Ware and Chairman  
Collins  
NAYS: Fullilove  
Halbert recused

Boyd and Brown did not cast a vote

**APPROVED**, Richard Smith. Set up as Special Item #5

21. **ORDINANCE TO REVISE CHAPTER 15, SECTION 15-11(D), OF THE CITY OF MEMPHIS CODE OF ORDINANCES, PERTAINING TO THE DIMENSIONS OF LIMBS AND LOGS COLLECTED BY THE CITY OF MEMPHIS, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5329

MOTION: Flinn  
SECOND: Strickland

MAIN MOTION: Ware – Send back to committee for dialogue on November 3, 2009  
SECOND: Collins

**Chairman Collins stated that without objection this ordinance will go to Executive Session on November 3, 2009. There was objection, so a vote was taken**

AYES: Conrad, Ford, Fullilove, Hedgepeth, Morrison, Strickland, Ware and  
Chairman Collins

NAYS: Boyd  
Brown, Flinn and Halbert did not cast a vote

**APPROVED**, item will be in Executive Session on November 3, 2009

22. **ORDINANCE TO REVISE CHAPTER 15, SECTION 15-19(A), OF THE CITY OF MEMPHIS CODE OF ORDINANCES, PERTAINING TO THE REMOVAL OF CONSTRUCTION AND DEMOLITION DEBRIS BY PROPERTY OWNERS, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5330

Director of Public Works recommends approval

MOTION: Boyd  
SECOND: Strickland  
AYES: Boyd, Brown, Flinn, Fullilove, Hedgepeth and Strickland  
NAYS: Ford, Morrison, Ware and Chairman Collins  
Conrad and Halbert did not cast a vote

**FAILED**

23. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$504,329.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION OF WIA TITLE ONE ADULT AND ADMIN FUNDS. RESOLUTION ALSO AMENDS FY 2010 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Strickland  
SECOND: Ford  
AYES: Brown, Flinn, Ford, Fullilove, Strickland, Ware and Chairman Collins  
Boyd, Conrad, Halbert, Hedgepeth and Morrison did not cast a vote

**APPROVED**

24. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$747,686.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE ONE DISLOCATED WORKERS AND ADMINISTRATIVE FUNDS. RESOLUTION ALSO AMENDS FY 2010 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Strickland  
SECOND: Ford  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Morrison, Strickland, Ware and Chairman Collins  
Conrad, Halbert and Hedgepeth did not cast a vote

**APPROVED**

25. **INITIAL RESOLUTION TO ISSUE SANITARY SEWERAGE SYSTEM REVENUE BONDS, SERIES 2009, OF THE CITY OF MEMPHIS, TENNESSEE FOR THE PURPOSE OF FINANCING IMPROVEMENTS, ADDITIONS AND EXTENSIONS TO THE CITY'S SANITARY SEWERAGE SYSTEM.**

Chairman Collins recognized the following person who spoke from the audience:

Charles Farmer, 4611 Buffer Drive, Mphs, TN 38128

MOTION: Morrison  
SECOND: Fullilove  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Morrison, Strickland, Ware and Chairman Collins  
Conrad, Halbert and Hedgepeth did not cast a vote

**APPROVED**

26. **RESOLUTION AUTHORIZING THE ISSUANCE OF SANITARY SEWERAGE SYSTEM REVENUE BONDS, SERIES 2009, OF THE CITY OF MEMPHIS, TENNESSEE FOR THE PURPOSE OF FINANCING IMPROVEMENTS, ADDITIONS AND EXTENSIONS TO THE CITY'S SANITARY SEWERAGE SYSTEM.**

Chairman Collins recognized the following person who spoke from the audience:

Charles Farmer, 4611 Buffer Drive, Mphs, TN 38128

MOTION: Morrison  
SECOND: Brown  
AYES: Boyd, Brown, Ford, Fullilove, Morrison, Strickland, Ware and Chairman Collins  
Conrad, Flinn, Halbert and Hedgepeth did not cast a vote

**APPROVED**

27. **RESOLUTION ACCEPTING GRANT FUNDS FROM THE STATE OF TENNESSEE BUREAU OF TENNCARE FOR EMERGENCY SERVICES IN THE AMOUNT OF \$325,393.41.**

MOTION: Strickland  
SECOND: Fullilove  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Morrison, Strickland, Ware and Chairman Collins  
Conrad, Halbert and Hedgepeth did not cast a vote

**APPROVED**

28. **RESOLUTION APPROPRIATING AN ADDITIONAL \$284,490.00 IN G.O. BONDS FROM THE FISCAL YEAR 2010 CIP BUDGET TO PURCHASE ONE (1) AERIAL TRUCK FOR THE DIVISION OF FIRE SERVICES.**

MOTION: Strickland  
SECOND: Ford  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Morrison, Strickland, Ware and Chairman Collins  
Conrad, Halbert and Hedgepeth did not cast a vote

**APPROVED**

29. **RESOLUTION REQUESTING APPROVAL TO SELL A PORTION OF L.E. BROWN LOCATED AT 617 SOUTH ORLEANS TO THE MEMPHIS HOUSING AUTHORITY FOR THE DEVELOPMENT OF THE TRIANGLE NOIR HOPE VI PROJECT. SAID RESOLUTION IS ALSO REQUESTING APPROVAL FOR THE CITY TO PURCHASE ACREAGE FROM THE MHA TO MAKE THE PARK WHOLE.**

MOTION: Ford  
SECOND: Fullilove  
AYES: Brown, Flinn, Ford, Fullilove, Morrison, Strickland, Ware and Chairman Collins  
Boyd, Conrad, Halbert and Hedgepeth did not cast a vote

**APPROVED**

30. **RESOLUTION APPROPRIATING \$1,616,962.00 FOR CONSTRUCTION WITH THE LOW COMPLYING BID FROM BARNES AND BROWER, INC., APPROPRIATION OF \$225,000.00 FOR FURNITURE, FIXTURES AND EQUIPMENT AND APPROPRIATION OF \$85,000.00 FOR INFORMATION TECHNOLOGY FOR THE LIBERTY BOWL LOCKER ROOMS PHASE II, CIP PROJECT NUMBER PK10010, PART OF THE FY10 CAPITAL IMPROVEMENT BUDGET FUNDED BY G.O. BONDS GENERAL.**

MOTION: Strickland

SECOND: Fullilove

AYES: Boyd, Brown, Flinn, Ford, Fullilove, Morrison, Strickland, Ware and Chairman Collins  
Conrad, Halbert and Hedgepeth did not cast a vote

**APPROVED**

31. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$3,061,020.00 FROM SHELBY COUNTY GOVERNMENT GRANTED THROUGH THE U.S. DEPARTMENT OF JUSTICE FOR THE RECOVERY ACT EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT SPECIFICALLY FOR PUBLIC SAFETY PROJECTS. RESOLUTION ALSO AMENDS FY 2010 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Strickland

SECOND: Fullilove

AYES: Boyd, Brown, Flinn, Ford, Fullilove, Morrison, Strickland, Ware and Chairman Collins  
Conrad, Halbert and Hedgepeth did not cast a vote

**APPROVED**

32. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$210,321.00 FROM SHELBY COUNTY GOVERNMENT GRANTED THROUGH THE U.S. DEPARTMENT OF JUSTICE FOR THE JUSTICE ASSISTANCE GRANT SPECIFICALLY FOR PUBLIC SAFETY PROJECTS. RESOLUTION ALSO AMENDS FY 2010 OPERATING BUDGET TO ESTABLISH AND APPROPRIATE GRANT FUNDS.**

MOTION: Strickland

SECOND: Fullilove

AYES: Boyd, Brown, Flinn, Ford, Fullilove, Morrison, Strickland, Ware and Chairman Collins  
Conrad, Halbert and Hedgepeth did not cast a vote

**APPROVED**

33. **RESOLUTION APPROPRIATING \$50,000.00 IN FY10 FOR A WASTE TIRE REDEMPTION PROGRAM.**

Held to November 3, 2009

34. **RESOLUTION AMENDING THE FY2010 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING \$77,521.00 FUNDED BY G.O. BONDS – GENERAL FROM ADA CURB RAMP, PROJECT NUMBER PW04007 TO ADA CURB RAMP GROUP 42, PROJECT NUMBER PW04076 FOR INSTALLATION OF ADA RAMPS AT VARIOUS LOCATIONS IN THE CITY AND FOR A CONSTRUCTION CONTRACT WITH ENSCOR, LLC.**

MOTION: Boyd

SECOND: Fullilove

AYES: Boyd, Brown Flinn, Ford, Fullilove, Morrison, Strickland, Ware and Chairman Collins

Conrad, Halbert and Hedgepeth did not cast a vote

**APPROVED**

35. **RESOLUTION AMENDING THE FY2010 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING \$2,750,000.00 FUNDED BY G.O. BONDS (STORM WATER) FROM DRAINAGE REHAB/REPLACE PROJECT NUMBER ST03098 TO TRENCHLESS REHAB FY09, PROJECT NUMBER ST03114, FOR REHAB OF TRENCHLESS STORMWATER STRUCTURES AND FOR A CONSTRUCTION CONTRACT EXTENSION WITH MOORE CONSTRUCTION COMPANY, INC.**

MOTION: Boyd

SECOND: Ford

AYES: Brown, Flinn, Ford, Fullilove, Morrison, Strickland, Ware and Chairman Collins  
Boyd, Conrad, Halbert and Hedgepeth did not cast a vote

**APPROVED**

36. **RESOLUTION REQUESTING THAT THE COUNCIL OF THE CITY OF MEMPHIS MODIFY THE FY10 CAPITAL IMPROVEMENT BUDGET BY CREATING A NEW PROJECT, SWM CAPITAL FY10, PROJECT NUMBER PW05008. THE CITY OF MEMPHIS GENERAL SERVICE DIVISION FLEET MAINTENANCE WILL REFURBISH 50 SOLID WASTE TRUCKS FOR A TOTAL COST OF \$2,327,610.00.**

Chairman Collins recognized the following person who spoke from the audience:

Charles Farmer, 4611 Buffer Drive, Mphs, TN 38128

Resolution also requesting that the Council of the City of Memphis amend the FY10 Capital Improvement Budget by establishing an allocation and appropriation in the amount of \$2,327,610.00 for SWM Capital FY10, project number PW05008.

MOTION: Boyd  
SECOND: Fullilove  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Morrison, Strickland, Ware and Chairman Collins  
Conrad, Halbert and Hedgepeth did not cast a vote

**APPROVED**

**MINUTES**

Approval of the Minutes of the regular meeting of October 20, 2009 for Items 1, 4, 29, 37 and Special Items 1, 2, 3, 4, 5:

MOTION: Ford  
SECOND: Morrison  
AYES: Boyd, Flinn, Ford, Fullilove, Morrison, Strickland, Ware and Chairman Collins  
NAYS: Brown  
Conrad, Halbert and Hedgepeth did not cast a vote

**APPROVED**

**INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:**

Chairman Collins recognized the following persons who spoke from the audience:

Leo Awgowhat, 3584 Vanyus, Mphs, TN 38111  
Walter Broady, 4256 Ledbetter Cv., Mphs, TN 38109  
Charles Farmer, 4611 Buffer Drive, Mphs, TN 38128  
Vanessa Luellen, 827 Pope, Mphs, TN 38112

**ADJOURNED MEETING AT 7:55 P.M.**

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

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C H A I R M A N

Attest:

\_\_\_\_\_  
Deputy Comptroller/Council Records